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13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO DIVISION

16 UNITED STATES OF AMERICA,) NO. CR 19-116 RS
17 Plaintiff,)
18 v.) STIPULATION TO EXCLUDE TIME FROM
19 JOHNNY EARL HENDERSON,) APRIL 13, 2021 TO NOVEMBER 8, 2021 AND
20 Defendant.) ORDER
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23 It is hereby stipulated by and between Yoosun Koh, counsel for the United States, and Michael J.
24 Shepard, counsel for the defendant, Johnny Earl Henderson, that the parties request a jury trial start date
25 of November 8, 2021 and that time be excluded under the Speedy Trial Act from April 13, 2021 through
26 November 8, 2021.

27 At the status conference held on April 13, 2021 the government and counsel for the defendant
28 apprised the Court that they were as yet unable to reach a pretrial resolution and requested a trial date.
29 The Court ordered the parties to meet and confer and provide the Court with a few alternative dates for a
30 jury trial in the July or August timeframe, and to submit an exclusion order once the parties had agreed
31 on a trial date. (Dkt. 170.)

32 Having h met and conferred, the parties request that the Court set a jury trial start date of

33 STIPULATION TO EXCLUDE TIME AND [PROPOSED] ORDER
34 Case No. CR 19-116 RS

v. 7/10/2018

1 November 8, 2021, and stipulate and agree that excluding time between April 13, 2021 and November 8,
2 2021 will allow for the effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties
3 further stipulate and agree that the ends of justice served by excluding the time from April 13, 2021 to
4 November 8, 2021 from computation under the Speedy Trial Act outweigh the best interests of the
5 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

6 The undersigned Assistant United States Attorney certifies that she has obtained approval from
7 counsel for the defendant to file this stipulation and proposed order.

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9 IT IS SO STIPULATED.

10 DATED: June 22, 2021

11 _____
12 /s/
13 YOOSUN KOH
14 Assistant United States Attorney

15 DATED: June 22, 2021

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17 /s/
18 MICHAEL J. SHEPARD
19 Counsel for Defendant Johnny Henderson
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ORDER

2 Based upon the stipulation of the parties, the Court sets a jury trial start date of November 8,
3 2021 in the above-captioned case. Based upon the facts set forth in the stipulation of the parties and the
4 representations made to the Court on April 13, 2021 and for good cause shown, the Court finds that
5 failing to exclude the time from April 13, 2021 through November 8, 2021 would unreasonably deny
6 defense counsel and the defendant the reasonable time necessary for effective preparation, taking into
7 account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the
8 ends of justice served by excluding the time from April 13, 2021 through November 8, 2021 from
9 computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a
10 speedy trial. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time
11 from April 13, 2021 through November 8, 2021 shall be excluded from computation under the Speedy
12 Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

IT IS SO ORDERED.

DATED: June 22, 2021


HON. RICHARD SEEBOORG
United States District Judge